

BOARD OF SELECTMEN
MINUTES
OCTOBER 15, 2007

Pursuant to notice duly filed with the Town Clerk, a meeting of the Board of Selectmen was held at 7:30 p.m. in the Selectmen's Room.

Present were Margaret B. Briggs, Chair; Virginia McIntyre; Anne D. Shapiro; Stanly E. Black, and Gregory P. Howes, Clerk. Also present was Christopher Whelan, Town Manager.

CONSENT AGENDA:

- Town Accountant's Warrants
- Minutes: September 10, 2007
- Proclamation: United Nations Day

On a motion duly made and seconded, it was unanimously:

VOTED: To approve the consent agenda.

Consent Agenda

EXECUTIVE SESSION

Upon a Motion duly made and Seconded, the Board UNANIMOUSLY

VOTED: to approve the Executive Session Minutes of September 10, 2007, not to be released at this time.

Executive Session

ONE DAY SPECIAL ALCOHOL LICENSE – Wm. B. Gray Scholarship Foundation

Marybeth Sherrin of Sudbury was present to seek a one day special wine license for an event at the Concord Museum on October 20. This is the first time the Foundation has applied for a license. A complete packet was presented, including licensed bartenders.

One Day Special

On a motion duly made and seconded, it was unanimously:

VOTED: to grant a One Day Special License to the William B. Gray Scholarship Foundation for the sale of wine beverages for the Notable and Notorious Women Tea to be held on October 20, 2007, between the hours of 4PM and 7PM at the Concord Museum. The alcoholic beverages are to be consumed on the premises.

TOWN MANAGER'S REPORT:

1. The nineteenth annual drop off swap off event occurred on October 13 with great success. It was the 4th busiest event with more than 800 vehicles dropping waste and an unknown number participating in the swap off. Also this weekend, Ann Dorfman was bid farewell. Although she resigned as Solid Waste and Recycling Coordinator, Ann continued to help in the swap off preparations.
2. More than 80 visitors attended the playing fields open house on Sunday. There has been impressive progress on construction. The site is tidy, flat, and ready for phase 2 to begin. If the weather holds, the project may be complete by December.
3. The Special Town Meeting Warrant was delivered to the Post Office. It should be delivered to homes by Wednesday, a week ahead of schedule.
4. All eleven articles will be heard at the Special Town Meeting Hearing scheduled for October 22 at 7:30PM at the Alcott School. The Finance Committee, School Committee, Willard School Building Committee, the Planning Board and the Board of Selectmen will be present.
5. The Municipal Light Board continued its discussion of the wholesale power supply contract at its recent meeting. The Board is satisfied with the consultants' recommendation regarding purchase of natural gas and will likely vote to accept the policy at a meeting in November. The commodity management scenario is a new component of the wholesale power contract and will make fluctuations in the market more transparent.
6. The Department of Planning and Land Management is preparing a lottery for affordable housing units on Virginia Road and in the Emerson Annex. The deadline for applications is November 7th.

Town Manager's Report

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7. The Police Department was awarded at grant of \$63,750 for continued community policing. Funds will be used for overtime costs and some special programs for youth and elders. The department has applied and been successful for the past five years.
8. The developer of the Strawberry Hill Road land continues to make a monthly report of progress. While a fifty-foot roadway is typical, at this site it will be forty-feet with an additional ten-foot no-build zone on the side. The matter will be before the Planning Board at the next meeting.

PUBLIC HEARING POLE PETITION - VERIZON

Kelly Ann Condon was present from Verizon New England Inc. to petition the Board regarding work needing to be done on Water Street at Main Street that will ensure the Route 62 road reconstruction can move forward. All the work will be done on public property, abutters have been notified, and Light Plant and Public Works staff have reviewed and approved the plans.

Upon a Motion duly made and Seconded, the Board UNANIMOUSLY

VOTED: to approve the petition of Verizon New England Inc. to lay and maintain underground conduits and manholes, with the wires and cables to be placed therein, under the surface of the following public way or ways as requested in petition of said company dated September 19, 2007 and shown on a plan marked Verizon, No. 1AA1FS also dated September 19, 2007.

Verizon Pole petition

THOREAU FARM TRUST AMENDMENT TO PURCHASE AND SALE

Lucille Stott, president of the Thoreau Farm Trust, was present to request the first amendment to the purchase and sale agreement signed on June 28, 2004 that would lower the amount required to be raised by the Trust before closing and would approve a new septic system before occupancy rather than before closing. The Town and the Trust will complete action on restrictions and easements before Closing on October 30, 2007.

Upon a Motion duly made and Seconded, the Board UNANIMOUSLY

VOTED: to approve the First Amendment dated October 15, 2007 to the Thoreau Farm Trust Purchase and Sale agreement dated June 28, 2004.

Thoreau Farm Trust

QUARTERLY FIRE DEPARTMENT OVERTIME REPORT

The Town received a 4-year SAFER Grant in May. The grant pays out in diminishing amounts while the Town increases its share of the funding until in year four the Town budget fully supports the four fire fighters hired. In the fifth year, the Town may choose to continue the employment or some or all of the fire fighters.

The purpose of the increased staffing levels, the first in forty years, is to reduce the impact of overtime. The goal is to have eight fire fighters per shift. As predicted, the presence of additional fire fighters has reduced the demand on the overtime budget.

\$43,000 in overtime cost has been avoided at a total cost to the Town of \$5,200. The Town Treasurer estimated that there could be a savings of as much as \$130,000 to \$150,000 for the first year. However, as the Town share of the costs increases over the period of the grant, the overtime savings will decrease until the cost is borne entirely by the Town.

Mr. Whelan noted that the FY09 Operating Budget does not include this grant funding. Therefore, the savings are extra resources available to return to Free Cash. In subsequent years of the grant, funding will be factored into the fire department budget as will likely compensation increases of the new fire fighters.

The Town is soon to undertake negotiations for a new fire collective bargaining agreement.

Fire Dept. Overtime
Report

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FY09 BUDGET MEMO

FY09 Budget Memo

Town Manager Chris Whelan distributed a memo that was prepared for the Guideline Sub-Committee of the Finance Committee. In it, he responded to preliminary questions about perceived needs, new programs, modification to programs and the capital plan. This is a traditional stage of planning for the next fiscal year before budgeting begins.

Mr. Whelan noted the high activity level in all Town Departments to respond to program demands and mandates. He stated that his highest priority is to provide adequate salary adjustment for Town employees. There is an ongoing pay and classification. Mr. Whelan stated that he hopes to make resources available to respond to the study recommendations.

Mr. Whelan noted legal services and public safety dispatchers as requiring more resources. He hopes to increase the funds in the Central Building Maintenance Fund as recommended by the Facilities Planning Committee, to eventually hire a facilities manager to respond to ongoing repair and upkeep issues in all Town buildings.

Mr. Whelan stated his intentions to address the unfunded liability of health insurance costs for retirees, to fund seasonal park rangers for Town lands, to prepare to maintain the Bruce Freeman Rail Trail, and to support the outcomes of the Village Overlay Study.

Mr. Whelan noted that some services had been reduced in the past as cost savings. Over the past three years most were substantially restored. Reduced street lighting was noted as an area of savings that will not be restored.

Regarding capital spending, Mr. Whelan stated that the five-year capital plan is providing sufficient funds to meet Town needs. The practice has been to allocate 5% of the operating budget to debt service for major capital needs and a further 2-3% for equipment replacement. Major building repairs are funded through debt exclusions and in the next five years the Town can expect fire station and 141 Keyes Road renovations as well as the creation of space for the finance, planning and public works departments.

A new proposal in the FY09 budget will be \$15,000 for the Adult and Community Education Programming. These funds would be available upon a request to the Town Manager for community based programming such as Emergency Preparedness meetings or symposia of general interest.

Still in the budget is the \$100,000 that was intended to support the previous triennial revaluation. Mr. Whelan noted his intent to continue to carry that amount for needed consultants and software to respond to residents challenge to the revaluation.

Other items that Mr. Whelan anticipates including are 1) additional staff to develop and maintain a database of agreements, permits, and restrictions that require enforcement or renewal; 2) funds for the snow and ice account, landfill closure monitoring and catch basin cleaning; 3) a possible infusion of funds for Fowler Library renovations; 4) additional funds for a Youth Coordinator and for Senior Tax Work-off program.

The items noted would increase budget growth by 8.15% or \$1.3MM. It is unlikely that the Guideline will accommodate all these needs. Throughout the budget-building process it is anticipated that these will decrease as departments prioritize. At the Fall Coordination meeting the finance Department identified \$2,085,000 available within the levy limit for FY09. That would be approximately \$700,000 per spending authority.

The Board thanked the Town Manager for his thorough review of the resources needed in the new fiscal year and asked where potential savings might be identified. Discussion included: costs avoided by the hiring of new firefighters, the previous winters with little snow; the \$100,000 in the Assessors Department, the need to manage legal services before adding to the budget, the impact of new staff on collective bargaining agreements, whether regionalizing some public safety services was possible, whether full funding of a facilities manager position could be possible in this fiscal year, whether the results of the classification study would be available soon.

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Mr. Whelan agreed to update the Board on savings and cuts to be made to the initial resource needs memo. In addition, he will continue to put itemized monthly legal services bills on the clip-board.

SELECTMEN ANNUAL APPEAL UPDATE

Ms. McIntyre updated the Board on the progress of appeal preparations. The bids for printing and mailing will be awarded on October 19th. The letter needs one more review. Ms. McIntyre proposed that the purpose of the contributions be directed to local real estate tax relief. This will limit the impact on other philanthropic agencies such as the Community Chest.

Those who would benefit from this relief are encouraged to contact the Town House. Outreach efforts are underway to bring the benefits to residents' attention. The Hugh Cargill Committee has agreed to administer the distribution of funds realized from the appeal.

COMMITTEE LIAISON REPORTS

Mr. Howes reported that the Economic Council has discussed the proposed Warrant Articles regarding CitiBank and registered concerns that it had not been included in the Planning Board deliberations. He will set up a meeting to include Economic Council, Village Overlay Study and Planning Board members to allow each to become more familiar with the tasks of the others.

Mr. Howes noted that Representative Atkins is still working on arranging a meeting of the Town with MSBA.

Mr. Howes reported that he and the Town Manager had welcomed a delegation from Sister City Nanae Town recently. This year the visitors were young farmers very interested in Concord's agricultural history and current practices.

Mr. Black reported that the Willard School Building Committee had made a presentation to the Planning Board regarding site plan approval. Issues considered were buffer zone, vegetation, lighting, and parking.

Mr. Black reported that the Planning Board is bringing two articles to Special Town Meeting. The first amends the Zoning Bylaw and the other defines the criteria for a Special Permit.

Ms. Shapiro asked that Planning Staff prepare an explanation of the effects that similar Zoning changes have had in other towns, i.e., consequences, litigation, impact on landlords, triggers of the Special permit process. In her opinion, this is needed before the Board can make its recommendation to Town Meeting.

Ms. McIntyre asked for more information regarding the official school enrollment numbers. She stated that a recent *Carlisle Mosquito* reported on a meeting that MSBA Executive Director Catherine Craven had with the 127 School Superintendents of towns that submitted Statements of Interest for school construction reimbursement. The article stated that towns that were on the short list were to be notified within ten days. She asked whether Concord had received such a notice. It is expected that Peter Fischelis, the School Committee Chair will make a report of this at the Special Town meeting hearing.

MISCELLANEOUS:

1. Ms. McIntyre noted correspondence that proposed an idea regarding adult and community education. Ms. Briggs stated that the task force had done its work and reached conclusions. As a matter of good will she proposed to add a small amount of funding to the Town Operating Budget.
2. Ms. Briggs noted that there was another letter on the clip expressing frustration with the adult and community education task force process. She was surprised and felt that the task force met all the criteria stated for it.
3. Ms. Briggs noted the passing of Tony Scimone a long time farmer and school employee. Ms. McIntyre agreed to write a note of condolence to the family.

Annual Appeal

Liaison Reports

Miscellaneous

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ADJOURNMENT

On a motion duly made and seconded, it was:

VOTED: To adjourn the Open Session and to conclude business for the evening.

Anne D. Shapiro	Aye
Virginia McIntyre	Aye
Stanly E. Black	Aye
Gregory P. Howes	Aye
Margaret B. Briggs	Aye

The meeting adjourned to Executive Session at 9:20 p.m.

Respectfully submitted,

Gregory P. Howes, Clerk

Adjourn